

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	
)	
KDWN License Limited Partnership)	File No. EB-10-LA-0177
Licensee of Radio Station KDWN)	NOV No. V201032900021
Facility ID#: 54686)	
Henderson, Nevada)	

To: Federal Communications Commission
Los Angeles Office

RESPONSE TO NOTICE OF VIOLATION

KDWN License Limited Partnership ("Licensee"), licensee of Radio Station KDWN(AM), Las Vegas, Nevada, Facility I.D. Number 54686 ("KDWN" or the "Station"), hereby responds to the above-captioned Notice of Violation ("NOV"), released September 3, 2010. The NOV resulted from the June 21, 2010 observation of an agent from the Los Angeles Office of the Federal Communications Commission's Enforcement Bureau ("Bureau") of a hole in the fence that encloses the Station's center tower (ASR No. 1011960).¹

As set forth below, Licensee has: (i) promptly and fully investigated the issue concerning the hole in the fence; (ii) undertaken and completed all corrective actions; and (iii) taken additional action in a good-faith effort to preclude recurrence of such a problem.

On July 12, 2010, Mike Cooney, Vice President of Engineering and Chief Technology Officer of Beasley Broadcast Group, Inc., parent of Licensee, spoke by telephone with the

¹ According to the NOV, "[t]he agent also observed a 'High Level Radio Frequency Energy Area' sign lying on the ground next to the hole in the fence." NOV at 1 (¶2(a)). The NOV does not, however, specifically cite the sign's detachment from the fence as a component of any violation. The sign on the fence was merely intended to discourage intruders from entering the enclosed area and, out of an abundance of caution, to notify visitors of the potential for exposure to RF energy *inside* the fence. There is no radiation at or outside the fence requiring such a sign.

Bureau's Paul Oei regarding Mr. Oei's visit to the Station's tower site. During that call, Mr. Oei informed Mr. Cooney of his observation of the hole in the fence. Mr. Cooney explained that KDWN was unaware of the hole and that it must have been made recently, and that Beasley had previously suffered instances of vandalism, including at the hands of copper thieves.

Licensee promptly responded to the information provided by Mr. Oei. Before the week was out, it contacted a local fencing company, and on July 16, 2010, received an estimate to repair the fence. On July 19, 2010, Licensee issued the purchase order for the fence repairs. The repairs were completed on July 21, 2010. Licensee has since visited the tower site on numerous occasions, periodically monitoring the fencing around the tower site to ensure that there have been no further instances of vandalism or destruction to the fence.

As an additional precaution, Licensee has had high-intensity lighting installed that illuminates all four sides of the Station's transmitter building. Since the installation of the new lighting, Station personnel have observed no further instances of vandalism at or around the tower site and fencing.

Licensee installed the new lights in a good faith effort to deter recurrence of the problem that Mr. Oei observed with the fence at the tower site. Station personnel will also continue to monitor the fencing and lighting at the tower site in an effort to ensure that they are functional and that additional forced entry has not occurred.

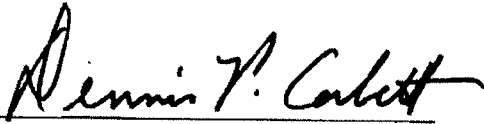
Licensee notes that the issue cited in the NOV, the hole in the fence, did not result from its negligence or lack of diligence, but from circumstances beyond its control. As the NOV itself recognizes, the hole "had been caused by *recent vandalism*." NOV at 1 (§2(a)) (emphasis added). Nonetheless, in response to the Bureau's telephone call, and *well prior to the issuance of the NOV*, Licensee undertook a prompt, thorough, and effective response. Licensee, therefore,

respectfully asks that the FCC close its investigation, and that no further action be taken in regard to the NOV.

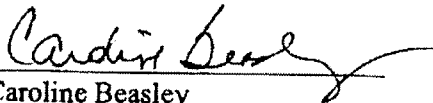
Respectfully submitted,

Of Counsel:

KDWN LICENSE LIMITED PARTNERSHIP



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By: 

Caroline Beasley
Secretary
Beasley FM Acquisition Corp. Inc.
General Partner of Licensee

September 22, 2010

